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4 **UNITED STATES DISTRICT COURT**

5 **DISTRICT OF NEVADA**

6 PAUL D. FOWLER, )  
7 )  
8 Plaintiff, ) 3:11-cv-00421-RCJ-VPC  
9 vs. )  
10 )  
11 JOHN PEERY et al., ) **ORDER**  
12 )  
13 Defendants. )  
14 \_\_\_\_\_ )

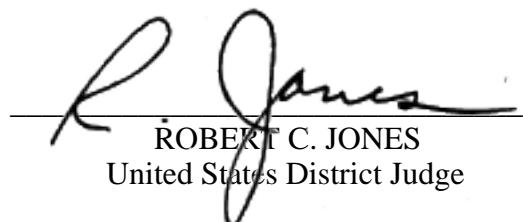
15 Plaintiff prisoner sued Defendants in this Court, alleging several constitutional violations  
16 arising out of Defendants' refusal to permit him to carry with him at all times a water bottle of  
17 his choice. The Court screened and dismissed the Complaint pursuant to 28 U.S.C. § 1915A.  
18 Plaintiff has filed the present motion to reconsider pursuant to Rule 60(b)(1). First, the Court's  
19 dismissal was based upon the merits, not upon any "mistake, inadvertence, surprise, or excusable  
20 neglect" cognizable under Rule 60(b)(1). Second, the motion contains no argumentation why  
21 Plaintiff believes the Court erred in a way warranting relief under Rules 59(e) or 60(b)(6).

22 **CONCLUSION**

23 IT IS HEREBY ORDERED that the Motion to Reconsider (ECF No. 8) is DENIED.

24 IT IS SO ORDERED.

25 Dated this 14th day of August, 2012.

  
ROBERT C. JONES  
United States District Judge